



Express Mail Mailing Label No. EV631055178US

PATENT

Attorney Docket No.: MDS-030  
(120407/156553)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Kaufman *et al.* CONFIRMATION NO.: 5399  
SERIAL NUMBER: 10/099,881 GROUP NUMBER: 3737  
FILING DATE: March 15, 2002 EXAMINER: O'Neal, R. Mistry  
TITLE: Image Processing Using Measures of Similarity

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. In accordance with 37 C.F.R. 1.98(a)(2), only copies of the foreign patent documents and non-patent publications are enclosed.

**REMARKS**

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☐ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☒ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**  
☒ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or

- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

Additionally, Applicant wishes to call to the Examiner's attention Office Actions issued in the following commonly-owned, co-pending patent applications:

- 1) U.S. Serial No. 09/841,325, Attorney Docket No. MDS-009CN, filed on 4/24/01, by Modell et al.;
  - 2) U.S. Serial No. 11/127,062, Attorney Docket No. MDS-009C2, filed on 5/11/05, by DeBaryshe et al.
  - 3) U.S. Serial No. 11/018,665, Attorney Docket No. MDS-012DV, filed on 12/21/04, by Nordstrom et al.;
  - 4) U.S. Serial No. 10/068,133, Attorney Docket No. MDS-013AC2, filed on 2/5/02, by Kaufman et al.;
  - 5) U.S. Serial No. 10/911,996, Attorney Docket No. MDS-013AC3, filed on 8/5/04, by Kaufman et al.;
  - 6) U.S. Serial No. 09/738,147, Attorney Docket No. MDS-013B, filed on 12/15/00, by Kaufman et al.;
  - 7) U.S. Serial No. 10/411,777, Attorney Docket No. MDS-013BC1, filed on 4/11/03, by Kaufman et al.;
  - 8) U.S. Serial No. 10/870,672, Attorney Docket No. MDS-014C2, filed on 6/17/04, by Modell et al.;
  - 9) U.S. Serial No. 10/122,429, Attorney Docket No. MDS-015CN, filed on 4/12/02, by Nordstrom et al.;
  - 10) U.S. Serial No. 10/701,123, Attorney Docket No. MDS-016CN, filed on 11/4/03, by Modell et al.;
  - 11) U.S. Serial No. 10/872,128, Attorney Docket No. MDS-020C1, filed on 6/18/04, by Costa et al.;
  - 12) U.S. Serial No. 10/071,932, Attorney Docket No. MDS-022C1, filed on 2/8/02, by Nordstrom et al.;
  - 13) U.S. Serial No. 10/192,820, Attorney Docket No. MDS-028, filed on 7/10/02, by Schomacker et al.;
  - 14) U.S. Serial No. 10/273,511, Attorney Docket No. MDS-031, filed on 10/18/02, by Clune et al.;
  - 15) U.S. Serial No. 10/894,356, Attorney Docket No. MDS-032C1, filed on 7/19/04, by Zelenchuck et al.;
  - 16) U.S. Serial No. 10/848,735, Attorney Docket No. MDS-033C1, filed on 5/19/04, by Schomacker et al.;
  - 17) U.S. Serial No. 10/828,624, Attorney Docket No. MDS-034DV, filed on 4/21/04, by Schomacker et al.;
  - 18) U.S. Serial No. 10/418,922, Attorney Docket No. MDS-035, filed on 4/18/03, by Flewelling et al.;
  - 19) U.S. Serial No. 10/418,902, Attorney Docket No. MDS-035A, filed on 4/18/03, by Jiang et al.;
  - 20) U.S. Serial No. 10/418,974, Attorney Docket No. MDS-035B, filed on 4/18/03, by Jiang;
  - 21) U.S. Serial No. 10/418,668, Attorney Docket No. MDS-035D, filed on 4/18/03, by Costa et al.;
  - 22) U.S. Serial No. 10/418,975, Attorney Docket No. MDS-035E, filed on 4/18/03, by Jiang et al.;
  - 23) U.S. Serial No. 10/418,415, Attorney Docket No. MDS-035F, filed on 4/18/03, by Schomacker et al.;
  - 24) U.S. Serial No. 10/419,181, Attorney Docket No. MDS-035G, filed on 4/18/03, by Jiang et al.;
  - 25) U.S. Serial No. 10/418,973, Attorney Docket No. MDS-035H, filed on 4/18/03, by Schomacker et al.;
- and

26) U.S. Serial No. 10/530,741, Attorney Docket No. MDS-037, filed on 4/7/05, by Flewelling et al.

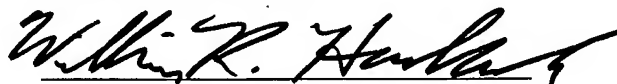
It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

### STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Respectfully submitted,



William R. Haulbrook, Ph.D.

Attorney for Applicants

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Exchange Place

Boston, Massachusetts 02109

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Date: September 2, 2005  
Reg. No. 53,002

Tel. No.: (617) 570-1013  
Fax No.: (617) 523-1231

VER 11/03

LIBC/2573106.1

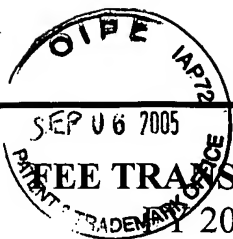


EXPRESS MAIL MAILING LABEL NO. EV631055178US

FORM PTO-1449 FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT				ATTORNEY DOCKET NO.: MDS-030 APPLICANT(S): Kaufman <i>et al.</i> SERIAL NO.: 10/099,881 FILING DATE: March 15, 2002 GROUP: 3737			
U.S. PATENT DOCUMENTS							
EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A240	D 500,134	12/21/04	Banks <i>et al.</i>			
	A241	D 507,349	7/12/05	Banks <i>et al.</i>			
	A242	4,349,510	09/14/82	Kolehmainen, <i>et al.</i>			
	A243	4,396,579	08/02/83	Schroeder, <i>et al.</i>			
	A244	4,755,055	07/05/88	Johnson <i>et al.</i>			
	A245	4,803,049	02/07/89	Hirschfeld <i>et al.</i>			
	A246	5,205,291	4/27/93	Potter			
	A247	5,383,874	01/24/95	Jackson <i>et al.</i>			
	A248	5,412,563	05/02/95	Cline <i>et al.</i>			
	A249	5,452,723	9/26/95	Wu <i>et al.</i>			
	A250	5,784,162	7/21/98	Cabib <i>et al.</i>			
	A251	5,838,435	11/17/98	Sandison			
	A252	5,871,439	02/16/99	Takahashi, <i>et al.</i>			
	A253	5,894,340	04/13/99	Loree <i>et al.</i>			
	A254	5,902,246	05/11/99	McHenry <i>et al.</i>			
	A255	5,912,257	06/15/99	Prasad <i>et al.</i>			
	A256	5,987,343	11/16/99	Kinast			
	A257	5,999,844	12/7/99	Gombrich <i>et al.</i>			
	A258	6,026,319	2/15/00	Hayashi			
	A259	6,067,371	05/23/00	Gouge <i>et al.</i>			
	A260	6,096,065	08/01/00	Crowley			
	A261	6,123,454	09/26/00	Canfield <i>et al.</i>			
	A262	6,135,965	10/24/00	Tumor <i>et al.</i>			
EXAMINER				DATE CONSIDERED			

<b>FORM PTO - 1449</b>				<b>ATTORNEY DOCKET NO.: MDS-030</b>			
<b>FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</b>				<b>APPLICANT(S): Kaufman <i>et al.</i></b>			
				<b>SERIAL NO.: 10/099,881</b>			
				<b>FILING DATE: March 15, 2002 GROUP: 3737</b>			
	A263	6,166,079	12/26/00	Follen <i>et al.</i>			
	A264	6,210,331	04/03/01	Raz			
	A265	6,224,256	05/01/01	Bala			
	A266	6,258,576	07/10/01	Richars-Kortum <i>et al.</i>			
	A267	6,332,092	12/18/01	Deckert <i>et al.</i>			
	A268	6,370,422	04/09/02	Richards-Kortum, <i>et al.</i>			
	A269	6,390,671	05/21/02	Tseng			
	A270	6,405,070	6/11/02	Banerjee			
	A271	6,424,852	07/23/02	Zavislan			
	A272	6,487,440	11/26/02	Deckert <i>et al.</i>			
	A273	6,497,659	12/24/02	Rafert			
	A274	6,593,101	07/15/03	Richards-Kortum, <i>et al.</i>			
	A275	6,593,102	7/15/03	Zahniser			
	A276	6,639,674	10/28/03	Sokolov <i>et al.</i>			
	A277	6,697,666	02/24/04	Richards-Kortum, <i>et al.</i>			
	A278	6,760,613	07/06/04	Nordstrom <i>et al.</i>			
	A279	6,818,903	11/16/04	Schomacker, <i>et al.</i>			
	A280	6,826,422	11/30/04	Modell <i>et al.</i>			
	A281	6,839,661	1/4/05	Costa <i>et al.</i>			
	A282	6,847,490	01/25/05	Nordstrom <i>et al.</i>			
	A283	6,902,935	06/07/05	Kaufman <i>et al.</i>			
	A284	6,933,154	8/23/05	Schomacker <i>et al.</i>			
	A285	2001/0041843	11/15/2001	Modell <i>et al.</i>			
	A286	2002/0133073	09/19/2002	Nordstrom <i>et al.</i>			
	A287	2002/0177777	11/28/02	Nordstrom <i>et al.</i>			
	A288	2002/0197728	12/26/2002	Kaufman <i>et al.</i>			
	A289	2003/0114762	01/17/02	Balas			
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			

<b>FORM PTO - 1449</b>  <b>FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</b>					<b>ATTORNEY DOCKET NO.:</b> MDS-030  <b>APPLICANT(S):</b> Kaufman <i>et al.</i>  <b>SERIAL NO.:</b> 10/099,881  <b>FILING DATE:</b> March 15, 2002 <b>GROUP:</b> 3737				
	A290	2003/0163049	08/2/03	Balas					
	A291	2003/0207250	11/06/2003	Kaufman <i>et al.</i>					
	A292	2004/0010375	01/15/04	Schomacker <i>et al.</i>					
	A293	2004/0010195	01/15/2004	Zelenchuk					
	A294	2004/0206913	10/21/04	Costa <i>et al.</i>					
	A295	2004/0206882	10/21/04	Banks <i>et al.</i>					
	A296	2004/0206914	10/21/04	Schomacker <i>et al.</i>					
	A297	2004/0207625	10/21/04	Griffin <i>et al.</i>					
	A298	2004/0208385	10/21/04	Jiang					
	A299	2004/0208390	10/21/04	Jiang <i>et al.</i>					
	A300	2004/0209237	10/21/04	Flewelling <i>et al.</i>					
	A301	2005/0054936	03/10/05	Balas					
	A302	2005/0090751	04/28/05	Balas					
<b>FOREIGN PATENT DOCUMENTS</b>									
<b>EXAM. INIT.</b>		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>COUNTRY CODE</b>	<b>CLASS</b>	<b>SUB CLASS</b>	<b>FILING DATE</b>	<b>ABSTRACT ONLY</b>	<b>ENGLISH LANG (Y/N)</b>
	B33	196 29 646	01/29/88	DE				N	Y (abstract)
	B34	1-245215	09/29/1989	JP				N	Y (abstract)
	B35	2-17429	01/22/1990	JP				N	Y (abstract)
	B36	5-256772	10/05/1993	JP				N	Y (abstract)
	B37	04/005885	01/15/04	WO			07/08/03	N	Y
	B38	04/005895	01/15/04	WO			07/08/03	N	Y
	B39	04/095359	11/04/04	WO				N	Y
<b>OTHER ART, JOURNAL ARTICLES, ETC.</b>									
<b>EXAM. INIT.</b>	<b>OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)</b>								
<b>EXAMINER</b>					<b>DATE CONSIDERED</b>				



#JTW

<b>FREE TRANSMITTAL</b> SEP 06 2005 PATENT TRADEMARK OFFICE	Complete if Known	
	Application Serial Number	10/099,881
	Filing Date	March 15, 2002
	First Named Inventor	Kaufman
	Group Art Unit	3737
	Examiner Name	O'Neal, R. Mistry
	Attorney Docket No.	MDS-030

METHOD OF PAYMENT				FEE CALCULATION (continued)			
1. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other				3. ADDITIONAL FEES			
2. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 07-1700. <input type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17.  <input checked="" type="checkbox"/> Overpayment Credit.							
3. <input checked="" type="checkbox"/> Applicant claims small entity status.							
<b>FEE CALCULATION</b>							
1. FILING/SEARCH/EXAM/SIZE FEES							
Large Entity							
Fee (\$)	Fee Description		Fee Paid	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
300	Utility filing fee			130	65	Surcharge - late filing fee or oath	
500	Utility search fee			50	25	Surcharge - late provisional filing fee or cover sheet	
200	Utility exam fee			130	130	Non-English specification	
250	Utility size fee (each add'l 50 pgs. over 100)			2,520	2,520	Request for ex parte reexamination	
200	Design filing fee			120	60	Extension for reply within first month	
100	Design search fee			450	225	Extension for reply within second month	
130	Design exam fee			1020	510	Extension for reply within third month	
250	Design size fee (each add'l 50 pgs. over 100)			1590	795	Extension for reply within fourth month	
				2160	1080	Extension for reply within fifth month	
				500	250	Notice of Appeal	
				500	250	Filing a brief in support of an appeal	
				1000	500	Request for oral hearing	
				400	400	Petitions to the Commissioner (Gp. I)	
				200	200	Petitions to the Commissioner (Gp. II)	
				130	130	Petitions to the Commissioner (Gp. III)	
				180	180	Submission of Information Disclosure Statement	180.00
				790	395	Filing a submission after final rejection (37 CFR 1.129(a))	
				790	395	For each additional invention to be examined (37 CFR 1.129(b))	
				100	100	Certificate of Correction for applicant's error	
				130	65	Submission of Terminal Disclaimer	
				Other fee (Specify)			
				Other fee (Specify)			
Total Claims - 20 = x \$ 50.00 =				SUBTOTAL (3) (\$ 180.00)			
Independent Claims - 3 = x \$200.00 =							
<input type="checkbox"/> Multiple Dependent Claim(s), if any \$360.00 =							
TOTAL:							
SMALL ENTITY DISCOUNT:							
SUBTOTAL (1) (\$ 0.00)							
2. AMENDMENT CLAIM FEES							
Claims	Highest No. Remaining	Present Previously	Rate				
After Amend.	Paid For	Extra					
Total 31	- 39 =	0	x \$ 50.00 =	0.00		SUBTOTAL (1) 0.00	
Indep. 3	- 4 =	0	x \$200.00 =	0.00		SUBTOTAL (2) 0.00	
<input type="checkbox"/> First Presentation of Multiple Dep. Claim + \$360.00 =						SUBTOTAL (3) 180.00	
TOTAL: (\$)							
SMALL ENTITY DISCOUNT: (\$)							
SUBTOTAL (2) (\$ 0.00)						TOTAL (\$ 180.00)	
<b>CORRESPONDENCE ADDRESS</b>				<b>SIGNATURE BLOCK</b>			
Direct all correspondence to: Patent Administrator Goodwin Procter LLP Exchange Place Boston, MA 02109 Tel. No.: (617) 570-1000 Fax No.: (617) 523-1231 Customer No. 051414				Respectfully submitted, <i>William R. Haulbrook</i> William R. Haulbrook, Ph.D. Attorney for the Applicants Goodwin Procter LLP Exchange Place Boston, MA 02109			